



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF VETERINARY MEDICAL EXAMINERS

Fred DeVesa
Attorney General

LOCATION:

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P.O. BOX 45020
NEWARK, NJ 07101

December 29, 1993

Robert H. Bende, D.V.M.
Rd 3, 111 Carranza Road
Vincentown, NJ 08088

Re: Case #92-65
Felix Reggio

Dear Dr. Bende:

Please be advised that at its meeting on December 15, 1993 the Board determined that a fine of \$3,000.00 plus costs be imposed for your failure to render proper veterinary care to Bandit Ralph in violation of N.J.A.C. 13:44-2.1 and 13:44-2.12. Specifically, the Board found that you:

1. failed to recognize a fabricated test result;
2. relied on test results of another animal to treat the Reggio horse;
3. failed to retain required records.

The costs in this matter are \$313.95 bringing the penalty plus costs to a total of \$3,313.95.

You are hereby afforded the opportunity to dispose of this matter without a hearing and without recourse to litigation by executing the attached form and returning it to the Board within 10 days together with your remittance made payable to the Board of Veterinary Medical Examiners in the amount of \$3,313.95.

If you wish a hearing in this matter, you may request same within 10 days of the date of this letter. At the time of hearing, you may appear with counsel of your choice and with witnesses and documentary evidence. If there is no response to this letter, a complaint for the suspension or revocation of licensure will be filed by the Attorney General's Office.

If you request a hearing, the Board will not be bound by the terms stated in this letter, and may, after presentation and evaluation of all evidence, impose any of the sanctions contained in N.J.S.A. 45:1-22 which include revocation or suspension of

licensure, and assessment of penalties up to \$2,500 per violation. You should also be aware that the Board may assess civil penalties in an amount greater than that herein offered in settlement. Additionally, the Board may, if the facts warrant, enter an order requiring the restoration of any monies acquired by unlawful acts and the payment of all costs involved in this matter and may direct that you cease and desist from the continued practice of acts found to be unlawful by the Board.

If you do not reply to this letter within the required ten day period, then the Board may assess additional penalties pursuant to N.J.S.A. 45:1-21, based on the fact that you have failed to respond to official Board correspondence.

Very truly yours,



Marianne C. Kehoe
Executive Director

MCK/pc

ATTACHMENT

- X I, Robert H. Bende, hereby admit to the violation of N.J.A.C. 13:44-2.1 and 13:44-2.12 and remit herewith a certified check or money-order in the amount of \$3,313.95.
- _____ I admit to the violation of N.J.A.C. 13:44-2.1 and 13:44-2.12 but wish to submit a written explanation to the Board to use as a mitigating factor in determining a final civil penalty.
- _____ I am not guilty of this violation and request an administrative hearing on this matter.



Signature

1-8-94

Date